

**HUMAN SERVICES DEPARTMENT[441]****Adopted and Filed**

Pursuant to the authority of Iowa Code section 249A.4 and 2013 Iowa Acts, Senate File 446, section 129, the Department of Human Services amends Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

The Legislature rescinded the requirement that the Department adjust payments for physician services rendered in facility settings, consistent with similar policy/methodology used under the federal Medicare program. The Department understands that the intent was to eliminate the adjustments applied to any physician services rendered in facility settings pursuant to paragraph 79.1(7)“b” adopted in 2011. Therefore, that paragraph is being rescinded.

Pursuant to the legislative intent to remove the site-of-service (SoS) payment adjustments beginning with state fiscal year 2014 (i.e., beginning July 1, 2013), the Iowa Medicaid Enterprise (IME) submitted a state plan amendment (SPA) with an effective date of July 1, 2013, to remove the SoS payment adjustments, and approval from the Centers for Medicare and Medicaid Services (CMS) has been received.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 0910C** on August 7, 2013. The Department received no comments during the comment period. This amendment is identical to that published under Notice of Intended Action.

The Council on Human Services adopted this amendment on October 9, 2013.

This amendment does not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 249A.4.

This amendment will become effective January 1, 2014.

The following amendment is adopted.

Amend subrule 79.1(7) as follows:

**79.1(7) Physicians.**

*a.* No change.

*b.* ~~Payment reduction for services rendered in facility settings. The fee schedule amount paid to physicians based on paragraph 79.1(7)“a” shall be reduced by an adjustment factor as determined by the department. For the purpose of this provision, a “facility” place of service (POS) is defined as any of the following:~~

- ~~(1) Hospital inpatient unit (POS 21).~~
- ~~(2) Hospital outpatient unit (POS 22).~~
- ~~(3) Hospital emergency room (POS 23).~~
- ~~(4) Ambulatory surgical center (POS 24).~~
- ~~(5) Skilled nursing facility (POS 31).~~
- ~~(6) Inpatient psychiatric facility (POS 51).~~
- ~~(7) Community mental health center (POS 53).~~
- ~~(8) Comprehensive inpatient rehabilitation (POS 61).~~

*c.* No change.

[Filed 10/10/13, effective 1/1/14]

[Published 10/30/13]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/30/13.